

REMARKS/ARGUMENTS

Status of the Claims

Claims 1-12, 14, 15, 17-21 and 23-25 are currently pending in the application. Claims 1, 4, 7, 9, 10, 17, and 18 have been amended. No claims have been added. Claim 21 has been cancelled. Therefore, claims 1-12, 14, 15, 17-20 and 23-25 are present for examination. Claims 1, 10, 17 are independent claims.

Prior to entry of this amendment, the application included claims 1-12, 14, 15, 17-21 and 23-25. An office action mailed December 7, 2007, objected to claim 17 because of informalities, specifically the phrase “the incoming phone call” should be changed to “an incoming phone call” or, alternatively, original line 3 of claim 17 could be added back to the claim. Claims 1, 3, 4, 8, 10-12, 14, 15, 17, and 19-25 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Patent No. 6,816,582 issued to Levine et al. (“**Levine**”). Claims 1-4, 8-12, 14, 15, 17-21, and 23-25 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 7,162,020 issued to Forte (“**Forte**”) in view of U.S. Patent No. 6,816,582 issued to Levine et al. (“**Levine**”).

In the claims, claims 1, 10, and 17 have been amended to more clearly point out that the demarcation device that receives the phone call is interposed between the first and second communication channels (or a PSTN) and the one or more wired phones at the user location. Further, claim 17 was amended to delete line 3 as the Examiner has requested. Claims 4, 7, 9, and 18 have been amended to correct various grammatical errors or to ensure antecedent basis. These claims do not add new matter and are fully supported by the specification at ¶ [20].

Claim Objections

Claim 17 has been objected to because of informalities, specifically the phrase “the incoming phone call” should be changed to “an incoming phone call” or, alternatively, original line 3 of claim 17 could be added back to the claim. Claim 17 has been amended and the objection is now moot.

Claim Rejection Under 35 U.S.C. 102

Claims 1, 3, 4, 8, 10-12, 14, 15, 17, and 19-25 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Patent No. 6,816,582 issued to Levine et al. (“**Levine**”). Applicants respectfully request reconsideration of the rejection because either the Examiner has failed to show a *prima facie* case of anticipation or the amendments overcome the rejection. Indeed, “for anticipation under 35 U.S.C. 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly.” See MPEP §706.02, Original Eighth Edition, August, 2001, Latest Revision August 2006. And, Levine simply does not teach each and every aspect of the claims.

Levine is directed to an Advanced Intelligent Network (AIN) that is a telecommunications switching network that utilizes well-known protocol to connect switching center to telephone users. See *Levine*, col. 3, lines 11-15. The AIN includes a Central Office referred to as a Service Switching Point (SSP). See *Levine*, col. 3, lines 21-26. To handle the connections between two or more SSPs, a Service Control Point (SCP) includes the intelligence of the phone network. See *Levine*, col. 3, lines 56-61. Levine includes a Simultaneous Ring Application (SRA) in the SCP. See *Levine*, col. 5, lines 40-47.

In operation, when a Mobile Switching Center (MSC) (similar to the SSP) receives a phone call for a cellular phone, “the MSC 206 will fire the simultaneous ring trigger and the SCP 214 will invoke the SRA 215 . . .” *Levine*, col. 6, lines 5-11 (*emphasis added*). The SCP returns a message that the MSC should route out-bound calls to the wired telephones. See *Levine*, col. 3, lines 12-17. Thus, the telephone switching networks, whether the AIN or mobile network, ring the alternate phone numbers.

Levine is in stark contrast to the presented claims. Levine does not include the same system components, notably the telephone switch or demarcation device. Further, the system and methods described in Levine describe a redirection of calls that occurs totally in the telephone switching networks. The claims are allowable because Levine does not describe the elements of the claims and therefore cannot substantiate a *prima facie* case of anticipation.

Missing Limitation: “a demarcation device coupled to the first and second communication channels and interposed between the first and second communication channels and the one or more wired phones at the user location”

With regard to independent claim 1, Levine does not speak of a demarcation device that is interposed between the communication channels and the wired phones. The demarcation device determines if an incoming call received at a wireless device should be routed to a wired phone. Examiner cites Levine col. 6, lines 5-17 as describing this element of the claims. *See Office Action*, p. 4. The section of Levine cited by the Examiner states:

If the calling telephone 200 had placed a call to a cellular telephone 234, the call would first be routed to a called MSC 206. The called MSC 206 can be equipped with triggers analogous to the simultaneous ring trigger used in the SSP. If the called cellular telephone 234 belongs to a simultaneous ring subscriber, *the MSC 206 will fire the simultaneous ring trigger and the SCP 214 will invoke the SRA 215*, as described above, to retrieve alternative numbers from a call list. The *SCP 214 will return a message to the MSC 206, causing the SN 202 to place out-bound calls to the telephones 230, 232* associated with the alternative telephone numbers, as well as to the cellular telephone 234 associated with the main telephone number. *Levine*, col. 6, lines 5-17 (*emphasis added*).

Levine includes an SRA at the SCP. The SCP is part of the AIN. And the AIN is the communications channel or PSTN that routes calls to the user's location. Levine does not teach a demarcation device interposed between the communications channel and the wired telephones. Rather, Levine specifically teaches an SRA that is part of the communications channel. *See Levine*, col. 5, lines 40-47. In operation, multiple messages must be passed in the AIN or the mobile switching network to enable simultaneous ringing. Further, Levine requires a centralized SRA that would require constant maintenance and changing as the multitude of customers change their phone service.

Embodiments of the present disclosure offer a decentralized approach to simultaneous ringing that is superior to that described in Levine. The demarcation device, which may be located at the user's location, can eliminate the extra network traffic that is problematic in Levine. In embodiments, simultaneous ringing decisions are made and executed at the

demarcation device. Further, the demarcation device can be modified only if the related user changes his or her phone service. Thus, the constant maintenance problematic with Levine are eliminated. In embodiments, maintenance is more easily managed with the demarcation device. As such, the demarcation device provides a superior system to Levine.

Thus, Levine does not teach or suggest all the limitations of independent claim 1. Further, claims 10 and 17 include similar elements. With regard to claim 10, the claim recites "the demarcation device interposed between a PSTN and the one or more wired phones at the user location." Claim 17 recites "the demarcation device interposed between the one or more wired phones and a phone call transport network." Levine also does not describe these related elements. As such, Levine cannot anticipate claims 10 or 17. Applicants respectfully request the Examiner to withdraw the rejections as the rejections apply to the independent claims. Further, all other claims in the application depend from these allowable claims and are also allowable. Therefore, the Applicants also respectfully request the Examiner withdraw any rejections directed to claims 2-9, 11, 14, 15, 18-20, and 23-25.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested. The Applicants do not acquiesce to any argument in the Office Action not specifically addressed in the present response, but, rather, Applicants believe all rejections and/or objections are overcome by the arguments present herein.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



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